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United Nations Forum on Forests
Ad Hoc Expert Group on Consideration with a View to Recommending the Parameters of a Mandate for Developing a Legal Framework on All Types of Forests
New York, 7-10 September 2004
Item 4 of the provisional agenda
Tasks of the Expert Group*

Consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests

Note by the Secretariat**

Summary

The note by the Secretariat aims to provide background information to facilitate the deliberations of the Expert Group. This note will explain the assigned tasks of the Expert Group and touch briefly on topics related to recent developments in forest-related instruments, organizations and institutions and the views of the member States on possible options for "consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests". The note highlights a number of issues that the Expert Group may find relevant to its work.

In addition to this note, the Secretariat has provided additional documents to facilitate the work of the Expert Group on the tasks assigned to it.

* E/CN.18/AC.3/2004/1.
** Submission of this report was delayed in order to include updated information.

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I. Introduction

1. On the recommendation of the United Nations Forum on Forests in its draft decision III adopted at its third session (E/2003/42), the Economic and Social Council, by its decision 2003/299 of 25 July 2003, established, among others, the Ad Hoc Expert Group on consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests to provide scientific and technical advice to the Forum for its work at the fifth session of the Forum to be held from 16 to 27 May 2005 in New York.

2. This note has been prepared to facilitate the deliberations of the Expert Group meeting, to be held from 7 to 10 September 2004 in New York.

II. Work of the Ad Hoc Expert Group

A. Tasks assigned

3. The Ad Hoc Expert Group has been requested to undertake the following specific tasks (para. 33 of the annex to Council decision 2003/299):

> "(a) Assess existing regional and international binding and non-binding instruments and processes relevant to forests; the assessment should include, inter alia, analysis of complementarities, gaps and duplications, and should take into account Forum resolution 2/3 on specific criteria for the review of the effectiveness of the international arrangement on forests;
>
> "(b) Consider reports prepared by countries, as referred to in decision 2003/299 to which this annex is attached, the member organizations of the Collaborative Partnership on Forests and the Forum secretariat, as well as outcomes of Forum sessions;
>
> "(c) Consider other outcomes of the international arrangement on forests, inter alia, the efforts of countries to implement the IPF/IFF proposals for action, other expert groups, country- and organization-led initiatives of the Forum and previous relevant initiatives, and forest-related work undertaken by the member organizations of the Collaborative Partnership on Forests;
>
> "(d) Review the relevant experiences of existing forest-related and other relevant organizations and agreements, including multilateral environmental agreements and regional conventions and processes, focusing on complementarities, gaps and duplications;
>
> "(e) Provide for the consideration of the Forum at its fifth session, a balanced range of options with respect to consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests."

4. The reports of the Expert Groups on approaches and mechanisms for monitoring, assessment and reporting and on finance and transfer of environmentally sound technologies will serve as inputs to the work of the Expert Group.

B. Preparatory work

5. Considering the significance of the issues under consideration and in order to ensure efficiency, transparency and a balanced reflection of the range of views of member States, the Council, in its decision 2003/299, established the Ad Hoc Expert Group and called for it to undertake, inter alia, the following preparations:

(a) Presentation of factual and technical information, including updated information on existing regional and international binding and non-binding instruments and processes relevant to forests and that of other relevant organizations and agreements, including multilateral environmental agreements and regional conventions and processes;

(b) Compilation of the progress made and catalysts and obstacles encountered by member States and member organizations of the Collaborative Partnership on Forests in implementing the proposals for action of the Intergovernmental Panel on Forests/Intergovernmental Forum on Forests (IPF/IFF) and the decisions and resolutions of sessions of the United Nations Forum on Forests;

(c) Presentation and detailed description of a range of options, including their legal, financial and institutional modalities.

6. In order to carry out these preparations, the States members of the Forum were invited to submit to the Secretariat their views on (a), (b) and (c) above, while the members of the Collaborative Partnership on Forests were invited to provide information on (a) and (b) above by 31 January 2004. At the time of the writing of this note, only a limited number of views and information have been received by the Secretariat. The views received have come from 12 countries and the European Union on behalf of its 25 member countries, and information was provided by two Partnership members.

C. Documentation

7. Based on the assigned tasks to the Expert Group and views submitted by member States and the information received from members of the Partnership, the Secretariat has prepared the following documentation:

(a) To facilitate, in general, the deliberations of the Expert Group meeting: note by the Secretariat (the present note) entitled "Consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests" (E/CN.18/AC.3/2004/2), in all United Nations languages;

(b) To assist in task (c) and address the preparatory work (b) mentioned above: note by the Secretariat entitled "Overview of catalysts and obstacles in the implementation of the IPF/IFF proposals for action and Forum resolutions and decisions" (E/CN.18/AC.3/2004/3), in all United Nations languages;

(c) To address the preparatory work (c) mentioned above: background document 1, which is a compilation of the views and information received from member States and Partnership members respectively, in the language they were submitted. This compilation includes, inter alia, descriptions of options in the view of member States;

(d) To assist in tasks (a) and (d) and address the preparatory work (a) mentioned above: background document 2, which will include a description of recent developments in, and updated information on, existing regional and international binding and non-binding instruments and processes relevant to forests and that of other relevant organizations and agreements, including multilateral environmental agreements and regional conventions and processes, in English only;

(e) To provide input from the previous two Expert Groups: the report of the Ad Hoc Expert Group on approaches and mechanisms for monitoring, assessment and reporting (E/CN.18/2004/2), and the report of the Ad Hoc Expert Group on finance and transfer of environmentally sound technologies (E/CN.18/2004/5), in all United Nations languages.

D. Working modalities

8. The Ad Hoc Expert Group will elect two co-chairpersons from among the experts at the beginning of its meeting, one from a developing country and one from a developed country. The Forum secretariat serves as the secretariat for the Expert Group.

9. Forum members will be invited to make scientific and technical contributions. Intergovernmental organizations and representatives of major groups, with relevant expertise, can participate in the meeting, in accordance with the rules of procedure of the functional commissions of the Council, as well as practices established by the Commission on Sustainable Development, the Intergovernmental Panel on Forests and the Intergovernmental Forum on Forests. They may be invited to make scientific and technical contributions.

10. The Expert Group is expected to provide its proposals and recommendations by consensus. In the absence of consensus, the report of the Expert Group should fully reflect the diversity of the views expressed. The Expert Group will adopt a report at its meeting, for submission to the Forum at its fifth session. The report should specify major outcomes of the Expert Group's work, including proposals and recommendations for further consideration by the Forum.

11. The two previous Expert Groups decided to establish drafting groups to assist their chairpersons to draft the reports of their meetings. The present Expert Group may also wish to consider such an approach.

III. Supporting information relevant to the tasks assigned to the Ad Hoc Expert Group

A. Provisional agenda

12. To facilitate the efficient organization of the meeting, the secretariat has prepared a provisional agenda for the consideration of the meeting (E/CN.18/AC.3/2004/1). It has been proposed to structure the work of the Expert Group in three main subheadings under agenda item 4. The following sections provide some background information on each item of the provisional agenda.

B. Issues related to agenda item 4 (a): Complementarities, gaps and duplications and review of experiences

13. This agenda item deals with the analysis of complementarities, gaps and duplications and the review of relevant experiences of existing regional and international binding and non-binding instruments, organizations and processes relevant to forests. The agenda item is intended to address tasks (a) and (d) above.

14. In conducting this analysis the Expert Group may wish to consider background document 2, which describes recent developments in forest-related instruments and processes since the establishment of the United Nations Forum on Forests. There are also several other documents previously prepared for the IPF/IFF, such as background document 4, "Information on forest-related work of international and regional organizations" (1998) and background document 5, "Information on forest-related work under existing instruments" (1998), prepared for the second session of the Forum, which contain detailed technical and factual information as well as analysis of this topic. These and other relevant documentation are available from the Forum secretariat web site (www.un.org/esa/forests). Since 1998, a "Directory of Forest-Related International and Regional Institutions and Instruments" has been updated by the Food and Agriculture Organization of the United Nations (FAO) for members of the Collaborative Partnership on Forests and is available at www.fao.org/forestry/site/1662/en.

15. A note by the secretariat prepared for the third session of IFF in 1999 (E/CN.17/IFF/1999/15) included in its annex a list of 17 legally-binding instruments and 43 organizations that are closely related to and relevant to forests. The key message from the document is still valid today, namely, that there are multiple forums where, among others, forest issues are discussed and policies and actions are designed and agreed upon.

16. That note concluded that the work programmes of the members of the Inter-Agency Task Force on Forests — an informal partnership of forest-related international organizations, institutions and instruments, formed to support the work of IPF and IFF — collectively covered almost all of the substantive areas on the international agenda for action on forests. Based on this conclusion, it can be assumed that the collective mandates of the members of the Collaborative Partnership on Forests, having more members than the previous Inter-Agency Task Force on Forests, cover an even larger part of the action needed on the forestry agenda.

17. The note also made the observation that at that time, none of the instruments and no single international or regional organization has either the mandate or the capacity to address, in a balanced, holistic and mutually reinforcing manner, all priority issues related to all types of forests. The IFF document also mentions a considerable overlap of demands made on national Governments, in particular for data and reporting responsibilities. This concern is currently being addressed by an initiative by Partnership members, which works on streamlining forest-related reporting and on harmonizing forest-related definitions.

18. There have been several recent developments since the completion of the Intergovernmental Forum on Forests, which are of significance to forests. The most significant development has been the establishment of the international arrangement on forests by the Council in 2000, which included the United Nations Forum on

Forests and the Collaborative Partnership on Forests. This is a strong signal by the international community to respond to the issue of a lack of a central body, as mentioned by the IFF note above, to address all priority issues related to all types of forests in a balanced, holistic and mutually reinforcing manner. The United Nations Forum on Forests has been given the mandate, inter alia, to "... address forest issues and emerging areas of priority concerns in a holistic, comprehensive and integrated manner ..." (Council resolution 2000/35).

19. Among other significant developments since 2000 are:

(a) The adoption of the expanded programme of work on forest biological diversity by the sixth Conference of Parties to the Convention on Biological Diversity in 2002, which encouraged the parties to the Convention to adopt an ecosystem approach for the management of forest biological diversity, and requested Forum and Partnership members to work collaboratively with the Convention on this matter;

(b) The Conference of Parties to the United Nations Framework Convention on Climate Change, at its ninth session in 2003, which defined, for the purposes of the Kyoto Protocol (yet to enter into force), the scope of forests (afforestation, reforestation and deforestation) in its flexible mechanisms, particularly the Clean Development Mechanism;

(c) The International Tropical Timber Agreement of 1994, which is primarily a commodity agreement dealing with the production and trade of timber from tropical forests, as well as the sustainable management of tropical forests, and which is scheduled to expire at the end of 2006, is currently being renegotiated under the auspices of the United Nations Conference on Trade and Development (UNCTAD);

(d) The Global Environment Facility (GEF), which through its Council decision of December 2003, added a new operational programme number 15 on sustainable land management, acknowledging that GEF would also act as a financial mechanism for the United Nations Convention on Combating Desertification and fund projects on sustainable land management, including sustainable forest management;

(e) The World Bank adopted a revised Forests Strategy and Operational Policy in 2002. The new approach recognizes the protection and productive use of forests as complementary objectives, not conflicting ones. The new Forests Strategy is built on three interdependent pillars, namely, (i) harnessing the potential of forests to reduce poverty; (ii) integrating forests into sustainable economic development; and (iii) protecting vital local and global environmental services and values. It is anticipated that the new strategy will open up Bank funding for more sustainable forest management projects in developing countries and could substantially influence national forest policies and programmes in many developing countries;

(f) The United Nations Millennium Declaration recognized the significance of sustainable forest management in achieving the targets set in the Declaration (General Assembly resolution 55/2) of 8 September 2000. As the intergovernmental body established to promote the management, conservation and sustainable development of all types of forests, the United Nations Forum on Forests has a central role in promoting the role of forests in the implementation of the Millennium Declaration and in the achievement of its goals not only related to protecting the environment but also to sustainable development and poverty eradication;

(g) The Johannesburg Plan of Implementation is a manifestation of the high-level political commitment made by the international community at the World Summit on Sustainable Development in 2002. It recognizes sustainable forest management as essential to achieving sustainable development and as a critical means to eradicate poverty, reduce deforestation, halt the loss of biodiversity, arrest land and resource degradation, improve food security and increase access to safe drinking water and affordable energy;

(h) Some other developments, in the context of global efforts towards sustainable forest management, include new regional and thematic partnerships and processes such as the Asia Forest Partnership, the Congo Basin Forest Partnership, the Global Partnership on Forest Landscape Restoration and the New Partnership for Africa's Development, as well as the regional criteria and indicators processes that have, in some cases, reached a new stage of maturity since the establishment of the Forum and which have also impacted on policy development processes and instruments.

20. These developments show that issues related to forests are constantly being addressed at high levels in international instruments, intergovernmental organizations and in various institutions. They also illustrate that the approaches to concerns related to forests vary — from legal instruments, non-legally binding frameworks and action plans, to strategies of multilateral organizations and partnerships.

21. The effectiveness of the existing forest-relevant instruments, organizations and processes in addressing the concerns related to forests is difficult to ascertain, mainly because of the nature of the resource — the often great amount of time required for shifts in policies to become visible on the ground and, in many instances, the lack of funding and capacity to implement these policies. However, this does not preclude that the analysis of the Expert Group could result in an identification of factors that could enhance policy coordination, cooperation and effectiveness and avoid fragmentation and marginalization in tackling the gamut of issues confronting the sustainable management of all types of forests.

C. Issues related to agenda item 4 (b) of the provisional agenda: Other outcomes of the international arrangement on forests

22. This agenda item deals with the consideration of other outcomes of the international arrangement on forests, inter alia, the efforts of countries to implement the IPF/IFF proposals for action. The item is intended to address the tasks under (c) above.

Implementation of IPF/IFF proposals for action

23. The main background information for this agenda item can be found in the note by the secretariat on "Overview of catalysts and obstacles in the implementation of the IPF/IFF proposals for action and United Nations Forum on Forests resolutions and decisions" (E/CN.18/AC.3/2004/3), which is based on information on implementation drawn from four primary sources: national reports, the reports of the Secretary-General to sessions of the Forum, the Collaborative Partnership on Forests documents and the reports of the country- and organization-led initiatives.

24. While this note gives detailed descriptions on factors that have either helped or hindered implementation, it extracts a set of principal factors catalysing the implementation of the proposals for action from the sources available, which include good governance, national forest programmes, the development of criteria and indicators for sustainable forest management, forest partnerships, global and regional cooperation frameworks, stakeholder participation, and country- and organization-led initiatives.

The reports of the first two Ad Hoc Expert Groups of the United Nations Forum on Forests

25. The reports of the first two Expert Groups of the Forum, namely on approaches and mechanisms for monitoring, assessment and reporting (E/CN.18/2004/2) and on finance and transfer of environmentally sound technologies (E/CN.18/2004/5) were presented to the Forum at its fourth session, held at Geneva from 3 to 14 May 2004. The Forum deliberated and took decisions on the reports. In the context of the work of the present Expert Group, particularly in providing for the consideration of the Forum at its fifth session a balanced range of options for "consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests", the Expert Group may wish to consider the reports of the two previous Expert Groups and the relevant resolutions and decisions of the Forum at its fourth session (E/2004/42, particularly resolution 4/3 and decision 4/2).

Country- and organization-led initiatives

26. The United Nations Forum on Forests process has been well supported, as was the ad hoc IPF/IFF process, by initiatives sponsored by countries, multilateral organizations, the private sector and non-governmental organizations. Such initiatives have helped provide less formal working environments to clarify issues, shape agendas for discussions at these intergovernmental forums and to reach consensus. During the IPF/IFF process (1995-2000), 22 such initiatives were launched in many of the areas addressed by IPF/IFF.

27. Since the establishment of the United Nations Forum on Forests in 2000, 10 initiatives have been organized, as of June 2004, in the areas of implementation, lessons learned, financing sustainable forest management, monitoring, assessment and reporting, transfer of environmentally sound technologies and capacity-building, planted forests, decentralization, and forest biological diversity. Several similar initiatives are also planned for the period 2004-2005, leading up to the fifth session of the Forum.

28. The Costa Rica-Canada initiative was an elaborate global exercise undertaken on the issues relevant to the work of the Expert Group. Although the exercise was geared towards contributing to the work programme of the Intergovernmental Forum on Forests (IFF), most of the issues addressed by the initiative may still be relevant to the work of the Expert Group. The initiative included eight regional meetings and two global meetings in 1999 to identify elements and examine the pros and cons of different instruments and arrangements on forests, including legally binding mechanisms.

29. In addition to those initiatives, there are several other meetings and studies that are closely linked to the work of the Forum. The workshops on implementation of the IPF/IFF proposals for action were organized by FAO in 2004 in the Africa and

Asia-Pacific regions, in conjunction with the 14th session of the African Forestry and Wildlife Commission and the 20th session of the Asia-Pacific Forestry Commission. Similarly, the meetings on criteria and indicators in Guatemala (2003) and the Philippines (2004), and the XII World Forestry Congress, held in Quebec, Canada (2003), have substantially contributed to the work of the Forum.

D. Issues related to agenda item 4 (c) of the provisional agenda: A balanced range of options

30. This agenda item deals with preparation, for consideration by the United Nations Forum on Forests at its fifth session, of a balanced range of options for consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests. The item is intended to address the tasks under (e) above.

31. States have been devising formal and informal means to facilitate commerce, communication, migration and other issues involving more than one State. Likewise, environmental problems affecting a number of countries, irrespective of the origin of the problems, as well as the management of the global commons, are also being addressed through similar arrangements, including treaties. Through United Nations efforts, Governments have concluded many multilateral agreements for, inter alia, promoting international peace and security, economic and social development, harmonizing and facilitating laws regulating international trade, and developing international environmental laws and agreements.

32. The Expert Group may be assisted by background document 1 in addressing this agenda item. This document contains a compilation of the views submitted by member States on options, including descriptions of the legal, financial and institutional modalities of these options. The other documentation prepared for this meeting and listed under section III would also be of value to the Group in its work to provide a balanced range of options for consideration by the Forum at its fifth session.

33. As is the case with other items of the agenda of the Expert Group, the previous IPF and IFF processes produced both official documents and reports of country-led initiatives (see section III.c above) that contain both information and analysis relevant to this agenda item, including the report of the Secretary General to the fourth session of IFF (E/CN.17/IFF/2000/4).

34. There is also a significant body of academic work conducted in this area that could be of interest to the experts when developing the range of options, including legal, financial and institutional modalities, to be considered by the Forum at its fifth session. Background document 2, while not comprehensive, contains a bibliography that could provide some guidance for further reading in this regard. Some of this academic work also includes analyses of the advantages and disadvantages of different options.

E. Reflection on the views submitted by member States

35. The views submitted by States members of the Forum appear to indicate different approaches on possible options. The options suggested range from a new legally binding instrument on forests to a continuation and strengthening of the current international arrangement on forests. Among the legally binding options, member States have mentioned the possibility of an international convention on all types of forests, a framework convention with separate regional or thematic protocols, or a new protocol under the Convention on Biological Diversity. The non-binding options mentioned included improving and strengthening the Forum. However, most of the responding member States see that a cohesive and comprehensive international framework on forests, with enhanced programme and policy coordination, would lead to actions aimed at achieving sustainable forest management at the national level. Although the discontinuance of the Forum is not advocated by any of the responding member States, suggestions have been made to allow other existing global instruments and processes to address forest issues in the event that the Forum is discontinued.

36. The descriptions of the different options contained in the views vary in the level of detail. It would be useful for the consideration by the Forum at its fifth session if the experts could, while identifying the range of options, elaborate further on general traits as well as the legal, financial and institutional modalities that would be deemed necessary to appropriately reflect the options that the Group decides to put forward.

37. Some of the views submitted by member States contained descriptions of the substantive content of the options put forward. There appear to be few differences in substantive coverage, regardless of the nature of the option. The substantive coverage also seemed to correspond generally to the 16 elements that formed the basis of the five-year programme of work of the Forum, with the addition of some emerging issues, which came to light during the Forum process. At the same time, some member States expressed the view that those 16 elements had not provided the necessary focus and prioritization for the intergovernmental discussions. It was also felt by some, that the sheer number of elements had overloaded the Forum agenda within the five-year time frame.

IV. Complexities and priorities of the international forest policy process

A. The international forest policy process

38. The issue of forests has been a priority for the international community for more than 15 years. While the forest issue was among the most prominent and controversial issues at the 1992 United Nations Conference on Environment and Development in Rio de Janeiro, Brazil, the period since that Conference has been focused on building consensus among countries and developing coherent policies to promote the management, conservation and sustainable development of all types of forests.

39. The main forest-related outputs from the 1992 Conference were the agreement on the Non-legally Binding Authoritative Statement of Principles for a Global

Consensus on the Management, Conservation and Sustainable Development of all Types of Forests, the so-called Forest Principles, and chapter 11 on combating deforestation of Agenda 21. Building on those outcomes, the international community, through the ad hoc Intergovernmental Panel on Forests (IPF), 1995-1997, and the ad hoc Intergovernmental Forum on Forests (IFF), 1997-2000, examined a wide range of forest-related issues and adopted a comprehensive global forest agenda for sustainable forest management in the form of more than 270 proposals for action.

40. Based on the recommendation of IFF in 2000, the Economic and Social Council, in its resolution 2000/35, laid out the objectives and functions of the international arrangement on forests, including the establishment of the United Nations Forum on Forests as its subsidiary body. Comprising all States Members of the United Nations and States members of the specialized agencies, the Forum, as a key intergovernmental forest policy and programme coordination mechanism, is at the core of the international arrangement on forests. The Council also invited executive heads of international organizations, instruments and institutions to form a Collaborative Partnership on Forests, as a part of this international arrangement on forests. In 2001 the Partnership was formally established to support the work of the Forum and to enhance cooperation and coordination among its members on forests issues. The Partnership consists of 14 members* that have substantial capacity, programmes and resources in the area of sustainable forest management. It has been chaired by FAO and supported by the Forum secretariat.

41. The Forum is a high-level intergovernmental body with clearly defined functions, reporting to the Economic and Social Council and through it to the General Assembly. Its goals and ideals are closely tied to those of the United Nations. As stated in the Charter of the United Nations, the United Nations aims, inter alia, to achieve international cooperation in solving international problems and to play a central role in harmonizing the actions of States to achieve common goals. The Forum does not constitute a legally binding framework and the actions or non-actions by countries and other stakeholders are voluntary by nature. The decisions of United Nations bodies such as the Forum may imply obligations on Member States and other stakeholders.

B. Complexity of issues in the international forest policy

42. The alarming loss of forests due to deforestation and forest degradation in the past few decades has not only had a serious impact on natural ecosystems and habitats of flora and fauna, but has also adversely affected the economic, social, cultural and political aspects of human livelihoods and civilization. Furthermore, the

* Members of the Collaborative Partnership on Forests: Center for International Forestry Research (CIFOR); Food and Agriculture Organization of the United Nations (FAO); International Tropical Timber Organization (ITTO); International Union of Forest Research Organizations (IUFRO); secretariat of the Convention on Biological Diversity; secretariat of the Global Environment Facility (GEF); secretariat of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa; secretariat of the United Nations Framework Convention on Climate Change; secretariat of the United Nations Forum on Forests in the Department of Economic and Social Affairs of the United Nations Secretariat; United Nations Development Programme (UNDP); United Nations Environment Programme (UNEP); World Agroforestry Centre (ICRAF); World Bank; and World Conservation Union (IUCN).

impacts of such forest losses are often not limited to the country where the damage occurs, but can extend to neighbouring countries and even beyond, to global levels.

43. While forests represent an important economic sector for many countries, both developed and developing, many of the products and services from forests are still not tradable in markets because of their unique characteristics and/or the limitations of current markets and other institutional systems. The growing populations and escalating global consumption of forest products result in pressures on the sustainability of existing forests. Although it can be argued that trade in forest products and services generally would stimulate economic growth and could act as an incentive for forest owners and managers to employ sustainable forestry practices, a weak institutional framework governing forest-related trade might have the potential for unfettered trade, which could cause considerable damage to forests and their sustainable management.

44. Illegal logging and trade in illegally harvested forest products have been eroding the resource bases of many countries and have adversely impacted their socio-economic health and ecological sustainability. Furthermore, it has been observed in many parts of the world that internal civil conflicts go hand in hand with illegal harvesting of forest resources to help finance internal armed conflicts, thereby causing grave human and environmental tragedies. Such crises are most often beyond the capability of national Governments to address and are of concern to all groups of stakeholders.

45. Forests provide numerous goods and services, ranging from wood and non-wood products to conservation of biodiversity, protection of soil and watersheds, mitigation of climate change, and preservation of spiritual values and cultural heritage. Forests are also a source of food, employment and recreational opportunities. In many countries forests provide a haven for a large number of forest-dependent and indigenous communities. These multiple functions of forests have resulted in a multitude of interests, demands and expectations with regard to forests, which often tend to be competing or conflicting in nature. These usually focus on very specific functions or outputs from forests, such as timber extraction, biological diversity, carbon sequestration, restriction on trade in endangered species or uncertified products, the need for land for agriculture and real estate, etc. As a result, the formulation of forest policies has proven to be a complex challenge and needs to be relevant to the social and economic context and priorities of a country. In addition, many forest-related issues, such as the conversion of forests to other land-uses, are largely influenced by policy decisions taken outside of the forest sector, both in developed and developing countries. Coherent and consistent forest policies that recognize these complexities of forests are a cornerstone for sustainable forest management and sustainable development.

V. Concluding remarks

46. **The Ad Hoc Expert Group may wish to analyse and assess the current state of different instruments, organizations, institutions and processes related to forests and review the views provided by member States and information provided by Collaborative Partnership on Forests members from a scientific and technical standpoint. The outcome of the Expert Group in addressing all its assigned tasks will be of the utmost importance and value for the**

deliberations by the United Nations Forum on Forests at its fifth session, when the Forum will review progress and consider future actions; review the effectiveness of the international arrangement on forests, as referred to in paragraph 17 of Council resolution 2000/35; and, on the basis of that assessment, consider with a view to recommending to the Council and, through it, to the General Assembly the parameters of a mandate for developing a legal framework on all types of forests.